

United States District Court

E-FILING

NORTHERN

DISTRICT OF

FILED
CALIFORNIA

2008 FEB 26 P 3:47

UNITED STATES OF AMERICA

v.

RICHARD W. WICKING
CLERK
U.S. DIST. CT. OF CALIFORNIA, S.D.J.

CRIMINAL COMPLAINT

Elvis Fabricio SANDOVAL-Corona

(Name and Address of Defendant)

08-70104 PVT
CASE NUMBER:

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On a date unknown but no later than, January 4, 2008, in Santa Clara County in the Northern District of California defendant(s) was, (Check Statutory Language of Offense)

Unlawfully re-entered and was found in the United States after deportation, without the permission of the Attorney General

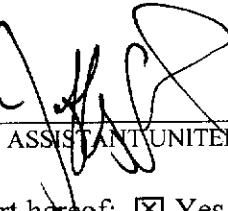
in violation of Title 8 United States Code, Section(s) 1326
I further state that I am a(n) Deportation Officer and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

PENALTIES: \$250,000.00 fine, twenty (20) years imprisonment, \$100.00 special assessment fee, and a Term of Supervised Release up to three years.

Requested bail: Issue no bail warrant.

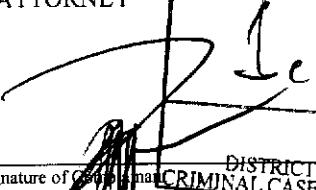
APPROVED AS TO FORM:


ASSISTANT UNITED STATES ATTORNEY

DOCUMENT NO.

CSA's INITIALS

Continued on the attached sheet and made a part hereof: Yes No


Signature of Clerk Criminal Case Process

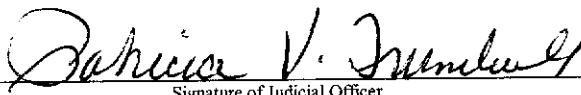
Sworn to before me and subscribed in my presence,

2/26/08
Date

at San Jose, California

City and State

Patricia V. Trumbull
United States Magistrate Judge
Name & Title of Judicial Officer


Signature of Judicial Officer

RE: SANDOVAL-Corona, Elvis Fabricio A90 095 047

I am a Deportation Officer of the United States Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE) and have been employed since July 7, 1997. I am currently assigned to the Criminal Alien Program (CAP) Unit of the San Jose Sub-Office. In such capacity, I have reviewed the official file relating to the above named individual, which attests to the following:

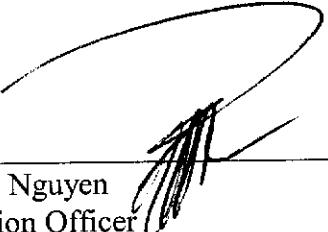
- (1) Mr. SANDOVAL-Corona is a 27-year-old male who has used six (6) aliases and one (1) date of birth in the past.
- (2) Mr. SANDOVAL-Corona has been assigned one (1) Alien Registration number of A90 095 047, FBI number of 722108TC2, California Criminal Information Index number of A28723277, and a Santa Clara County Personal File Number of DOT773.
- (3) Mr. SANDOVAL-Corona is a native of Mexico and a citizen of Mexico since birth. A check through official records shows that he was arrested and deported on one (1) occasion from the United States:

<u>DATE</u>	<u>PLACE OF DEPORTATION</u>
September 15, 2005	Nogales, AZ

- (4) Mr. SANDOVAL-Corona last entered the United States at or near Nogales, AZ on or after September 15, 2005, by crossing the international border without inspection subsequent to deportation.
- (5) Mr. SANDOVAL-Corona on a date unknown, but no later than January 4, 2008, in Santa Clara County in the Northern District of California, was found to be unlawfully present in the United States, after prior arrests and deportation. On February 26, 2008, Mr. SANDOVAL-Corona was interviewed by Immigration Enforcement Agent (IEA) John Ramirez at the ICE San Jose Office, San Jose, CA, and during that interview, Mr. SANDOVAL-Corona indicated that he did not obtain permission from the Attorney General or the Secretary of Homeland Security to re-enter the U.S. Fingerprints were obtained from Mr. SANDOVAL-Corona on the above date and were compared to the Warrant of Deportation dated September 15, 2005 and found to be the same person.
- (6) Mr. SANDOVAL-Corona was, on January 1, 2001, convicted in the Superior Court of California, in and for the County of Santa Clara, for the offense of ACCESSORY TO MURDER WITH ENHANCEMENT IN ASSOCIATION WITH CRIMINAL STREET GANG (cases C9914452), an aggravated felony, in violation of Section PC 32 and PC 186.22(b)(1) of the California Penal Code, and was sentenced to six (6) years in prison.

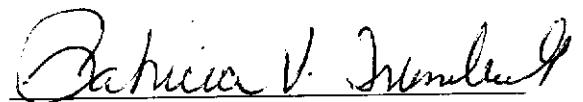
RE: SANDOVAL-Corona, Elvis Fabricio A90 095 047

- (7) Mr. SANDOVAL-Corona was, on December 19, 2007, convicted in the Superior Court of California, in and for the County of Santa Clara, for the offense of False ID to Peace Officer, a misdemeanor, in violation of Section 148.9 of the California Penal Code, and was sentenced to ten (10) days weekend work program.
- (8) On the basis of the above information, there is probable cause to believe that Mr. SANDOVAL-Corona illegally re-entered the United States, in violation of Title 8, United States Code, Section 1326.



Trong Q. Nguyen
Deportation Officer
Immigration and Customs Enforcement

Subscribed and sworn to before me this 26 day of February, 2008



PATRICIA V. TRUMBULL
UNITED STATES MAGISTRATE JUDGE